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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,366	12/08/2003	Sami Sagol	1268-203	8244

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EXAMINER

WILKENS, JANET MARIE

ART UNIT PAPER NUMBER

3637

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

He

Office Action Summary

Application No.

10/729,366

Applicant(s)

SAGOL, SAMI

Examiner

Janet M. Wilkens

Art Unit

3637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 May 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/6/04 & 5/11/05
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Attachment A

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the circular table top must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. (see claim 20)

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities: throughout the detailed description (for example, page 5, lines 16 and 26), it should be stated that the tabletop half sections are numerals 14 and 16, not 14 and 15. Also on page 7, line 23, "leg 76B" should be "leg 26B". Appropriate correction is required.

Claim Objections

Claims 1 and 13 are objected to because of the following informalities: in claim 1, line 12, "member" should be "members" and in claim 13, line 2, "is" should be "are". Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. For claim 1, it is unclear which "transverse support member" is being referred to in line 11, since plural such members have been claimed previously. For claims 3 and 4, it is unclear which "transverse support member" is being referred to, since plural such members have been claimed previously. Also for claim 3, it is unclear which "half-section" is being referred to, since plural such members have been claimed previously. For claim 5, it is unclear which "transverse support member"

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is being referred to, since plural such members have been claimed previously.

Furthermore for claim 5, legs are already received by the lateral edges of the transverse support members and therefore, it appears redundant to state that the lateral ends of the transverse support members receive legs. For claim 12, it is unclear which "half-section" is being referred to, since plural such members have been claimed previously.

For claims 14, 18 and 19, "the center support member" lacks antecedent basis. Also for claims 18 and 19, they are redundant with each other. For claims 16 and 22, stating that the hinges are "snap-type" is indefinite. (The ending "-type" renders the claim indefinite because the claim includes elements not actually disclosed (those encompassed by "type"), thereby rendering the scope of the claim unascertainable.)

For claim 28, it is unclear which "longitudinal support member" and which "transverse support member" are being referred to, since plural such members have been claimed previously.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 5, 10-12, 21, 23 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by French patent 738,868. The French reference teaches a collapsible table (Figs. 1-3; see Attachment A) comprising a table top formed of a pair of pivotable

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table top half-sections (1/2 and 3/4) hinged to one another at their adjacent edges along a center-line of the table and displaceable between an open position where said half-sections are coplanar and a folded position where said half-sections overlap one another; the table characterized in that each section has at an undersurface thereof a transverse support member (8 both portions) pivotally articulated thereto with a leg (10) associated with each lateral edge of each transverse support member, and a pair of longitudinal support members (8) pivotally articulated to the undersurface; said support members are displaceable between erect and collapsed positions whereby the transverse support members are prohibited from collapsing as long as at least one of the longitudinal support members is erect. The half sections further include abutment surfaces (adjacent touching edges formed at the hinge line of the table top) and a skirt (6).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over French patent 738,868 in view of Moncrieff (1,662,121). As stated above, the French reference teaches the limitations of claim 1, including a table top with folding

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support members. For claims 15 and 22, the French reference fails to teach that the support members are snap fitted together. Moncrieff teaches the use of "snap fit" connectors (see Fig. 2) between members. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the table of the French reference by using alternate connection means between support members, i.e. using snap fit connectors such as is taught by Moncrieff therein instead of the connectors presently used, since these connectors are functionally equivalent and it appears that either type of connector would work equally well between the support members of the French reference. The snap fit connectors would also be beneficial for assembly/disassembly purposes, i.e. would provide connectors that would allow the support members to be easily attached and unattached together (without the need to turn any of the connector parts).

Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over French patent 738,868 in view of Kindrick (5,551,100). As stated above, the French reference teaches the limitations of claim 1, including a table top with folding support members. For claims 16 and 17, the French reference fails to teach that the support members are hingedly attached to the table top portions via snap hinges. Kindrick teaches the use of snap fit hinges (100) between two members. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the table of the French reference by using alternate hinges between its support members and table top sections, i.e. using snap hinges such as is taught by Kindrick therein instead of the hinges presently used, since these hinges are functionally equivalent and

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it appears that either type of hinge would work equally well between the support members and table top sections of the French reference. The snap fit hinges would also be beneficial for assembly/disassembly purposes, i.e. would provide hinges that would allow the support members to be easily attached and unattached to the table top sections (without the need for tools).

Claims 20 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over French patent 738,868. As stated above, the French reference teaches the limitations of claim 1, including a table top and support members. For claim 20, the French reference fails to teach that the table top is circular. The examiner takes Official notice that circular table tops are well known in the art; therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the shape of the table top of the French reference, depending on the desired need of the person constructing the table top, i.e. for aesthetic reasons, etc.

For claim 24, the French reference fails to teach that the table top and support members are made of plastic. The examiner takes Official notice that plastic table tops and support members are well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to use any of a number of different materials for the table top and support members of the French reference, including plastic, depending on the desired need of the person constructing the table, i.e. for aesthetic reasons, economic reasons, table weight considerations, depending on the materials readily available, etc.

Claims 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over French patent 738,868 in view of Glover et al (6,752,091). As stated above, the French reference teaches the limitations of claim 1, including a table top with folding half sections. For claims 25 and 26, the French reference fails to teach a retractable handle on at least one of the half sections. Glover teaches the use of a retractable handle (230) on a half section portion of a folding table. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the table top of the French reference by adding a retractable handle thereon (assembly including a handle portion and a pivot rod attached to a bottom outside edge of the table), such as is taught by Glover, to provide a means to help transport the folded or unfolded table from one location to another.

Claims 25, 27 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over French patent 738,868 in view of Pinch (6,058,853). As stated above, the French reference teaches the limitations of claim 1, including a table top with folding half sections. For claims 25 and 27, the French reference fails to teach a recessed handle on at least one of the half sections. Pinch teaches the use of a recessed handle (190) on half section portions of a folding table. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the table top of the French reference by adding recessed handles on one or both of the table top half portions (for example on the skirt portions thereof), such as is taught by Pinch, to provide a means to help transport the unfolded or folded table from one location to another.

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For claim 29, the French reference fails to teach a lock arrangement for the folded half sections. Pinch also teaches the use of a lock arrangement (200/210, 198/196) between half section portions of a folding table. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the table top of the French reference by adding a lock arrangement between the table top sections, such as is taught by Pinch, to provide a means to help keep the sections in their folded condition during transporting, etc.

Allowable Subject Matter

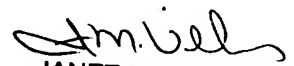
Claim 2, 4, 6-9, 13, 14, 18, 19 and 28 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janet M. Wilkens whose telephone number is (571) 272-6869. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wilkens
September 29, 2005


JANET M. WILKENS
PRIMARY EXAMINER
AU 23637

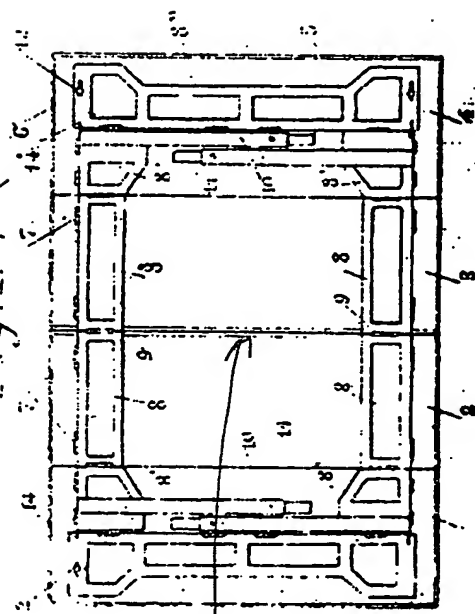
A H schment A

table top
table top
half section
half section

M. Barthelmy

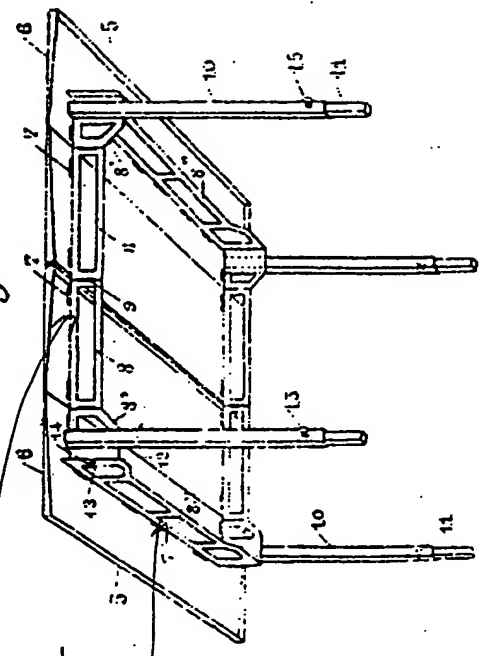
Pt. unique

Fig. 1



abutment
surfaces

Fig. 2



transverse
support member

longitudinal
support member

Fig. 3

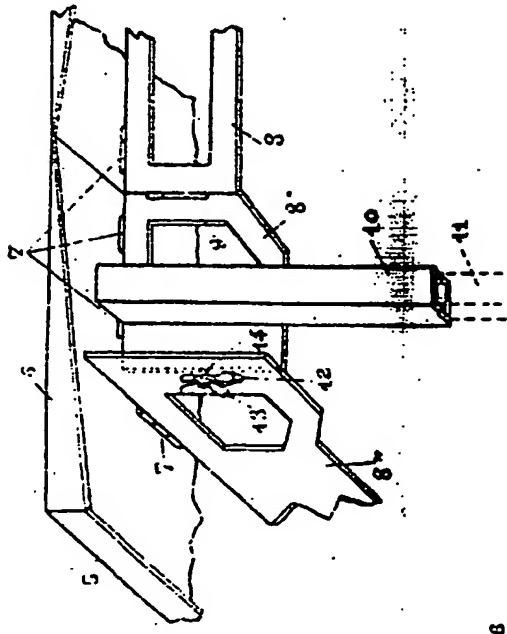


Fig. 4



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